

City Council
Atlanta, Georgia

01- 0 -0771

AN ORDINANCE
BY: ZONING COMMITTEE

Z-01-28
Date filed: 4-17-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **949 & 961 Confederate Avenue, S. E.; 655 Mead Street, S. E.; & 976 Gress Avenue, S. E.** be changed from the **I-1 (Light Industrial) & R-5 (Two-Family Residential)** Districts to the **C-2-C (Commercial Service--Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **23** of the **14th** District of Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

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EXHIBIT 'A'

ALL THAT TRACT or parcel of land lying and being in Land Lot 23, 14th District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a pk nail set at the western intersection of Confederate Avenue (50 foot right-of-way) and the C.S.X. Railroad aka Atlanta Westpoint Railroad (100 foot right-of-way);

running thence along an arc of a curve to the right and along the northwestern aforesaid right-of-way of C.S.X. Railroad an arc distance of 382.89 feet, said arc being subtended by a chord bearing South 52 degrees 30 minutes 31 seconds West a distance of 382.43 feet to a point;

continuing thence along an arc of a curve to the right and along the aforesaid C.S.X. Railroad right-of-way an arc distance of 389.55 feet, said arc being subtended by a chord bearing South 59 degrees 50 minutes 40 seconds West a distance of 389.33 feet to a point;

continuing thence along an arc of a curve to the right and along the aforesaid C.S.X. Railroad right-of-way an arc distance of 81.48 feet, said arc being subtended by a chord bearing South 64 degrees 15 minutes 59 seconds West a distance of 81.48 feet to an iron pin set;

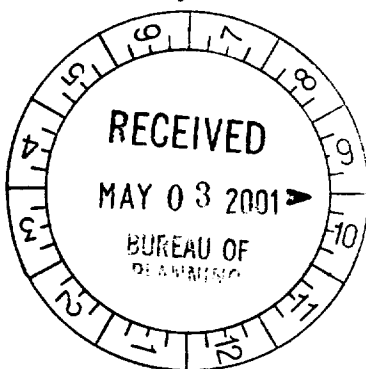
running thence North 00 degrees 50 minutes 27 seconds East and leaving the aforementioned northwesterly right-of-way of C.S.X. Railroad aka Atlanta Westpoint Railroad (100 foot right-of-way) a distance of 153.11 feet to an iron pin found on the southern right-of-way of Mead Street (60 foot right-of-way) fka Grady Avenue;

running thence South 89 degrees 24 minutes 59 seconds East along said southern right-of-way of Mead Street a distance of 15.93 feet to an open top found;

running thence North 00 degrees 28 minutes 19 seconds East along the eastern end of Mead Street as presently located a distance of 30.00 feet to an iron pin found;

running thence North 00 degrees 30 minutes 17 seconds East a distance of 220.04 feet along the eastern right-of-way of Grees Street (40 foot right-of-way) aka Gress Avenue to an iron pin found;

running thence South 89 degrees 43 minutes 13 seconds East and leaving the aforesaid right-of-way of Grees Street a distance of 132.87 feet to an iron pin found;



(continued...)

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EXHIBIT 'A' (continued)

running thence South 88 degrees 45 minutes 23 seconds East a distance of 134.50 feet to an iron pin found;

running thence North 00 degrees 45 minutes 37 seconds East a distance of 84.58 feet to an iron pin found on the southern right-of-way of Robinson Avenue (40 foot right-of-way);

running thence South 89 degrees 10 minutes 46 seconds East along said southern right-of-way of Robinson Avenue a distance of 133.30 feet to an iron pin found;

running thence North 00 degrees 08 minutes 46 seconds East and partially along the eastern end of the aforesaid right-of-way of Robinson Avenue and continuing further on a distance of 75.80 feet to a concrete monument;

running thence North 78 degrees 58 minutes 14 seconds East a distance of 225.60 feet to a pk nail set on the southwest right-of-way of Confederate Avenue (50 foot right-of-way);

running thence South 26 degrees 55 minutes 32 seconds East along said right-of-way a distance of 154.00 feet to a pk nail set at the western intersection of the aforesaid right-of-way of Confederate Avenue and C.S.X. Railroad aka Atlanta Westpoint Railroad, said pk nail being the True Point of Beginning;

all as shown on survey prepared for L. Comer Jennings, III, by McClung Surveying, Inc., Perry E. McClung, GA RLS#1541, dated 4-14-01, as last revised 4-18-01.

LESS AND EXCEPTING the two Cell Tower Sites and their Access Easements as shown on said survey.

/bh (4/19/01)
survey (rezoning)
01-023\prelim survey exh

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